

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: UEMURA, et al

Serial No.: 10/670,518

Group Art Unit: 2814

Filing Date: September 26, 2003

Examiner: Pham, Long

For: DEVICES RELATED TO ELECTRODE PADS FOR P-TYPE GROUP III
NITRIDE COMPOUND SEMICONDUCTORS

Honorable Commissioner for Patents
Alexandria, VA 22313-1450



REQUEST FOR CONSIDERATION OF PRIORITY DOCUMENT

Sir:

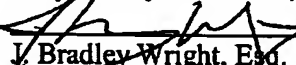
A Notice of Allowability was issued on June 6, 2005, in the above-identified application. However, the Notice of Allowability did not acknowledge the claim for foreign priority under 35 U.S.C. §119.

The present application is a divisional of Application No. 08/866,129 (now issued as U.S. Patent No. 6,734,468), which based its priority claim on Japanese Application Number JP160885/1996 filed on May 31, 1996. The priority document was filed in the parent application on December 22, 1997 and duly acknowledged. (See attached)

Therefore, Applicant respectfully requests the Examiner to officially acknowledge the claim for foreign priority under 35 U.S.C. §119 in the present application based on the certified copies of the priority documents submitted and acknowledged in Application No. 08/866,129.

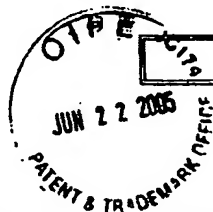
Date: June 22, 2005

Respectfully Submitted,


/ Bradley Wright, Esq.
Registration No. 47,188

Sean M. McGinn, Esq.
Registration No. 34,386

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RECEIPT FROM PTO FOR INDICATED ITEMS

(Do NOT Use for New or Continuing Applications of Any Kind)
Use 2 postcards for all New Applns. (cont/Div/CIP, too)

Appln. No: 08/866,129	Attny: Peter W. Gowdey/Raymond Y. Mah
First Inventor: UEMURA et al	Date: December 22, 1997
	Matter No: 238641
	Client No: 31317

ENCLOSED:

☐ Response/Amendment ☐ Cover Sheet ☐ Cited/Listed Documents

☒ Completion Request for R 53(f)/PCT Nat.

No. of Pages Abstract

No. of Pages Spec and Claims

No. of Numbered Claims Only

3 No. of Sheets of Drawings (Figs 1, 2A-2B, 3, 4, 5A-5B)

☒ 1 Set Formal ☐ 1 Set Informal ☒ Cover Letter

☒ Declaration 2 # of pages

☒ Assignment ☒ Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (PAT-111)

1 No. of Priority Documents

☐ IDS Letter ☐ Citing Appln(s) ☐ Foreign Sch Rep/OA

☐ PTO-1449 ☐ Cited Documents

☐ Issue Fee Transmittal Form PTOL-85(b) + (c)

\$ 940.00 Fee (Check)

OTHER:

Current DUE DATE: December 22, 1997

(Submit Single Copy Only)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(d)/60(d)/62(d)

(NOT PCT Applications)

For Design, Provisional or Utility Applications

**PATENT
APPLICATION****COMPLETION Under**
Rule 53(d)(1) or (2), 60(d) or 62(d)

In re PATENT APPLICATION of

Inventor(s): UEMURA

Appln. No.:

Series Code 0

Serial No. 0

Filed: May 30, 1997

Title: METHOD AND DEVICES RELATED ...

Attn: Application Division
Atty. Dkt.

238641

F97-121-US

M#

Client Ref

(Our Deposit Account No. 03-3975)

(Our order No.

31317

238641

C#

M#

Date: December 22, 1997

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

The following completes the filing under Rule 53(d)/60(d)/62(d) of the above-identified patent application:

1. Notice to File Missing Parts ☐ copy attached ☒ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. # pages of Specification (only spec. & claims)
- c. ☐ Drawing Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in JAPAN

8.

Application No.	Filing Date	Application No.	Filing Date
(1) 160885/1996	31 May 1996	(2)	
(3)		(4)	
(5)		(6)	



Notice of Allowability

Application No.	Applicant(s)	
08/886,129	UEMURA ET AL.	
Examiner	Art Unit	
Douglas A Wille	2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment.
 2. ☒ The allowed claim(s) is/are 1,2,4,6-11 and 20.
 3. ☒ The drawings filed on 30 May 1997 are accepted by the Examiner.
 4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
 5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
 6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ Including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Completion Under Rule 53(d)/60(d)/62(d)

9. 1 (No.) Certified copy (copies): ☒ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / filed on _____
10. ☐ Attached: _____ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. ☒ Attached: 3 sheets of formal drawings (Figs. 1, 2A-2B, 3, 4, 5A-5B)
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code	
13. Basic Filing Fee				Design Application	\$320/\$160		106/26
				Not Design Application	\$770/\$385	+770	101/201
14. Total Effective Claims	19	minus 20 =	0	x \$22/\$11	+0		103/203
(Base this \$ on claims as amended to effect CIP if this is a Rule 62(d) completion)							
15. Independent Claims	3	minus 3 =	0	x \$80/\$40	+0		102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)					\$260/\$130	+0	104/204
17. Surcharge for filing Declaration/filing fee late					\$130/\$65	+130	105/205
18. FILING FEE ENCLOSED =					\$900		
19. Original due date: July 30, 1997							
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	+0	115/215
cover the date this response is filed for which the requisite fee				(2mos)	\$390/\$195 =		116/216
is attached				(3mos)	\$930/\$465 =		117/217
				(4mos)	\$1470/\$735 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee					\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee.					\$40	+40	581
23. Attached is a Rule 47 Petition and Petition Fee (per Rule 17(h))					\$130	+0	122
24. TOTAL FEE ENCLOSED =					\$940		

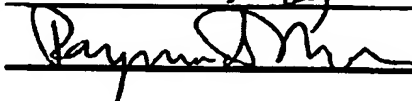
CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

1100 New York Avenue, N.W.
Ninth Floor East Tower
Washington, D.C. 20005-3918
Tel: (202) 861-3000
PWG/hc

Cushman Darby & Cushman
Intellectual Property Group of
Pillsbury Madison & Sutro LLP

By: Atty: Peter W. Gowdey

Sig:



Reg. No. 25872

Fax: (202) 822-0944

Tel: (202) 861-3078

NOTE: File in duplicate with PTO receipt (CDC-103A) and attachments



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日 本 国 特 許 庁

PATENT OFFICE
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて
る事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed
in this Office.

出 願 年 月 日
Date of Application:

1996年 5月31日

出 願 番 号
Application Number:

平成 8年特許願第160885号

出 願 人
Applicant(s):

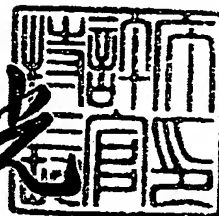
豊田合成株式会社

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1997年 5月16日

特許庁長官
Commissioner,
Patent Office

荒井寿光



出証番号 出証特平09-3036689